

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRUEPOSITION, INC.,

Plaintiff,

v.

LM ERICSSON TELEPHONE COMPANY
(TELEFONAKTIEBOLAGET LM ERICSSON),
QUALCOMM, INC.,
ALCATEL-LUCENT USA, INC.,
EUROPEAN TELECOMMUNICATIONS
STANDARDS INSTITUTE, and
THIRD GENERATION PARTNERSHIP
PROJECT a/k/a 3GPP

Defendants.

CIVIL ACTION

No. 11-4574

ORDER

AND NOW this 6th day of January, 2012, upon consideration of the Motions to Dismiss submitted by Defendants LM Ericsson Telephone Company (Telefonaktiebolaget LM Ericsson) (“Ericsson”), Qualcomm Inc. (“Qualcomm”), Alcatel-Lucent USA, Inc. (“ALU”), and European Telecommunications Standards Institute (“ETSI”), and the Responses and Replies thereto, it is hereby **ORDERED** that:

1. Ericsson’s Motion to Dismiss (Doc. No. 65) is **GRANTED**;
2. Qualcomm’s Motion to Dismiss (Doc. No. 51) is **GRANTED**;
3. ALU’s Motion to Dismiss (Doc. No. 66) is **GRANTED**;
4. ETSI’s Motion to Dismiss (Doc. No. 64) is **GRANTED**; however, we **GRANT** TruePosition leave to take discovery to establish that this Court has personal jurisdiction over ETSI.

5. We **GRANT** TruePosition leave to file an amended Complaint consistent with our Memorandum Opinion within thirty (30) days of this Order.

BY THE COURT

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE